

READING THE BAD IN OUR STORY: A PREREQUISITE TO REDEMPTION

A Study of Judges 19-21

By Jean Sheldon

The story of the Levite and the concubine of Judges 19, with the resulting inter-tribal warfare in chs. 20-21, has not been the most favored narrative in the Hebrew Bible for scholarly research until recently.¹ At times, its moral value has been questioned.²

Nevertheless, the narrative provides a historiographic link between the periods of the Judges and the monarchy, without which, would mean a gap in our knowledge of the thinking of a large Israelite segment. The account is starkly composed, exposing ideological and sociological tensions within the Israelite community rarely found. In addition, its moralistic elements—though brutal in their frankness—contribute the opportunity for a timely modern reading of Israel’s story together with ours.

This paper will examine the entire narrative with the purpose of attempting to understand the moral reasons for its telling and retelling, the narrator’s intent by subtle shadings of the various characters involved, the tensions developed in the retelling,³ and the insights revealed.⁴ Despite the alleged stylistic

¹This observation, in regards to recent scholarship, is also made by Susan Niditch in “The ‘Sodomite’ Theme in Judges 19-20; Family, Community, and Social Disintegration,” *Catholic Biblical Quarterly* 44 (1982):365. In the last two decades, interest has risen in these chapters due largely to an increase in the application of Narrative Criticism.

²Notably Joseph Lewis, who collected the worst, morally speaking, of Bible stories into a book to demonstrate the immorality of the Bible in *The Bible Unmasked*, New York: Freethought Press, 1926.

³These tensions are examined from an ideological rather than historical perspective with a focus on the literary developments of the story.

⁴Assuming the story’s basic historicity and treating it seriously, not as absurd (see Stuart Lasine, “Guest and Host in Judges 19: Lot’s Hospitality in an Inverted World,” *Journal for the Study of the Old Testament* 29 (1984):43-57) or as “tragicomic” (Robert G. Boling, *Judges; a New Translation with Introduction and Commentary in The Anchor Bible* (New York: Doubleday, 1975), pp. 27, 277).

alleged stylistic differences,⁵ the story will be analyzed as a complete unity together with the tensions.⁶ Finally, in harmony with this year's theme, analogies will be made, wherever applicable, to the current Adventist story.

Part I: The Ravishment of the Concubine

A close perusal of the narrative raises significant questions. Who was the concubine? What role did she play? Was the Levite possibly a poverty-stricken priest in search of a place to serve, who was forced to buy a slave for a wife, only to be deprived of her by a tragic death? Was the father merely displaying good hospitality by detaining the Levite? What was the significance of the Levite cutting his concubine in twelve pieces? What was the nature of the inter-tribal warfare? Finally, what was the crime and who really were the guilty?

The Characters in the Plot

The Concubine

The exact status of the concubine is uncertain.⁷ At times in the story she is referred to as “the woman;”⁸ but when introduced to the Gibeon sojourner, she is a “handmaid.”⁹ The Levite is sometimes “her husband,” but after the rape he becomes “her master”, until he tells the tragic story to the Israelite community at which time he is referred to by the narrator as “her husband.” Thus it remains unclear whether the woman

⁵ C. F. Burney and others ascribe a different authorship to chs. 20-21 from that of ch. 19. *The Book of Judges with Introduction and Notes*, Harry M. Orlinsky, ed. (New York: KTAV Publishing House, Inc., 1930), p. 446. Nevertheless, without the response of Israel in chs. 20-21, there is no appropriate place at which to end the story. Particularly, the mailing of the concubine by the Levite demands response.

⁶ Such an approach focuses on the creative endeavor, the narrative, as is consistent with careful use of literary principles of interpretation. Admittedly, I have been influenced by the use of rhetorical analysis as done by Robert Alter, *The Art of Biblical Narrative* (New York: Basic Books, 1982). Barry G. Webb has pointed out the validity of such a reading for a number of reasons. *The Book of Judges; an Integrated Reading, Journal for the Study of the Old Testament*, Supplement Series 46, pp. 13ff. The fact that numerous differences in wording occur in the two oldest and best Greek mss. suggest that a valid source critical hypothesis may be difficult to achieve. Such a task would require another large paper.

⁷ No first wife is mentioned; if this is significant, she would not be a surrogate heir-producer. If a woman could not produce a child, Nuzi law and LH provided that her slave could be given to her husband for this purpose. The resulting offspring were legally the property of the father and the barren wife (not of the natural mother). Speiser, *Genesis*, third ed., The Anchor Bible (Garden City, New York: Doubleday & Company, Inc, 1981), pp. 119-121.

⁸ Could also be translated “the wife.”

whether the woman was a concubine-slave sold by her father to the Levite or whether she held the full status of a wife for whom a bride-price and dowry had been paid.

A textual question is raised when the concubine leaves her husband to return home. Was she angry with him (LXX) or did she become a prostitute (MT)? The difference cannot easily be explained by a textual error;¹⁰ she probably could have returned to her father's house either way, if the MT indicates adultery.¹¹ But a reading of prostitution¹² makes it unlikely that she would have returned home.¹³ At the same time, a slave woman designated for her master,¹⁴ was entitled to her freedom if her basic needs and rights were not supplied.¹⁵

The status of the concubine in the story seems to fluctuate, then, between that of a wife acquired by payment who turns to prostitution and thus might be blamed for what follows, and a daughter sold as a concubine-slave, who becomes angry at what she perceives as mistreatment on the part of the Levite and so returns home.¹⁶ Elements in the narrative favor the latter interpretation.¹⁷

The Concubine's Father

The father of the concubine appears only briefly in the story, when the Levite comes to get back his "wife." Several things may be implied about him in the account: 1) He is a warm, friendly host. 2) He is a member of the tribe of Judah who may have been forced to sell his daughter as a slave in order to pay off

⁹ The same word used to denote a girl sold by her father in order to pay his debts in Exodus 21:7.

¹⁰ Boling, pp. 273-274.

¹¹ cf. Lev. 22:13. Though applied to a priest's daughter, the return home seems to refer to an acceptable practice for anyone widowed or divorced, but not for a prostitute. See also Falk, p. 157.

¹² Which is the more accurate rendering of נָנָה.

¹³ See Hosea 2:1ff. Anthony Phillips, "Some Aspects of Family Law in Pre-exilic Israel," VT 23:352-353; cf. Boling, p. 273. The unfaithfulness of a concubine was not viewed as seriously as that of a wife acquired by payment, according to Falk, p. 127; contra Webb, p. 188.

¹⁴ Due to the difficulties in the Hebrew of Exodus 21:8, most scholars emend נָנָה to לָוִי. Cf. Calum M. Carmichael, who contends that the emendment is unnecessary and unsuccessfully attempts to justify the present reading. *The Origins of Biblical Law; the Decalogues and the Book of the Covenant* (Ithaca, NY: Cornell University Press, 1992), p. 89-90, n20.

¹⁵ This allowance seems reserved, however, for the slave woman as a second wife in Exodus 21:10-11.

¹⁶ In accordance with the law in Exodus 21:10-11; see above.

¹⁷ The fact that the husband goes to speak tenderly to her (indicating a hostile attitude on her part) and the unlikely possibility that she would have returned to her father if she was indeed a prostitute. See also Burney, p. 460.

off indebtedness.¹⁸ 3) He seems reluctant to let the Levite go and take his daughter with him.¹⁹

The elaborate telling of the father's detention of the Levite suggests this last point. The father does not plead with the Levite to stay permanently,²⁰ nor does he engage in negotiations to release his daughter from the Levite. He merely manipulates the circumstances to keep him there, and would protract his visit indefinitely, it seems, if the Levite did not insist on departure. The latter's abrupt leaving late in the day, obviously without a plan for the night, suggests that he detects that the father's motives extend beyond good hospitality.²¹

The extensive detail suggests a father's premonitions of tragedy. This is further heightened by a frame enclosing the incident. When the Levite begins the journey, the process is stated in sequence:

He set out after her to speak tenderly to her and to bring her back;
He had with him his servant and a couple of donkeys.

The inclusio is concluded in v. 10, following the statement—"But the man would not spend the night"—with similar sequence:

He got up and departed and arrived opposite Jebus;
He had with him a couple of donkeys
And his concubine was with him.

Though the concubine may parallel the servant, her presence is set off in an additional clause, serving to emphasize that the very thing that the father apparently wanted to prevent has occurred. If one accepts the preferred LXX reading—that the concubine became angry with him—the father's situation can be more easily understood.

¹⁸See the discussion below. cf. Judges 19:26 where the Levite is referred to her as her "master," the term applied to the owner of an "slave-girl" in Exodus 21:7. It is also implied by the fact that, though the Levite came to speak "tenderly" to his concubine, there is no record of words passing between him and her; instead he only talks to her father. While this may be part of the author's characterization of the concubine as the voiceless victim, it is possibly indicative of the 'business' alliance between the Levite and the concubine's father.

¹⁹ Contra Boling (p. 274), who finds the father's warm welcome an indication of relief that the Levite has come to take his daughter! The "delight" of the father is off-set by a careful reading of the story and thus must be taken as either an indication of good manners or of a critically balanced relationship between himself and the Levite.

²⁰ Unlike the case of Micah and the Levite.

²¹ Contra Susan Niditch, pp. 366-367; see also Martin (p. 200), who views the visit as three days, a normal time for showing hospitality. However, hospitality is not governed by time, as indicated by the story of Abraham's

The Host in Gibeah

Like the Levite, who is a sojourner in the hill-country of Ephraim, the host who opens his home to the travelers is also a sojourner from the hill country of Ephraim.²² He is portrayed as congenial, concerned for the safety of strangers in Gibeah. By implication, he—an alien—seems to be the only one in Gibeah willing to take in the strangers and protect them from a hostile night in the plaza. Taking them home, he not only provides a meal, the usual foot-washing, and care for their animals, but also a good time. It is in the midst of their enjoyment that the men of Gibeah appear at the door.

When confronted with the necessity of protecting his guest from the rabble, the host is not above offering his daughter and his guest's concubine to them and even tells them to do to them whatever they want. This is not completely abnormal in ancient Canaan, as is evidenced by a similar offer by Lot to the men of Sodom.²³ Yet, as Tribble points out, the narrative's switch from the plural "them" to the singular "him," as the host takes "him" into his house, suggests prophetically that he—not her—was safe there.²⁴ Lasine demonstrates that the story reveals a host whose hospitality turns out to be really inhospitable.²⁵

The Levite

If connected to the Micah story, it may be deduced that the Levite is poor,²⁶ possibly could find no place to minister as a priest, and was forced to leave his home (in Bethlehem?²⁷) to sojourn in the hill country of Ephraim. His poverty may have forced him to buy the daughter of the Bethlehemite as a slave rather than

hospitality to the strangers in Gen. 18. Web views the Levite as exasperated with the father's "continued importunity"; he "finally draws the line and takes his leave at about mid-afternoon on the fifth day" (p. 188).

²² The geographical reverse of the Levite.

²³ Gen. 19:8; cf. Niditch, pp. 369-370; Anthony Phillips, "Family Law," *Vetus Testamentum* 23:351-352. Though much earlier, note also the treatment of a slave girl according to Sumerian laws: "Her sexual violation, whether by rape, seduction, or even by her own solicitation, is exclusively considered as a tortious invasion against her owner, for which he may seek redress, if the act had been done without his consent or knowledge." J. J. Finkelstein, "Sex Offenses in Sumerian Laws," *Journal of the American Oriental Society* 86:360.

²⁴ Phyllis Tribble, *Texts of Terror; Literary-Feminist Readings of Biblical Narratives* (Philadelphia: Fortress Press, 1984), p. 72.

²⁵ Lasine, pp. 37-41; cf. Webb, p. 189.

²⁶ There seems to be a close resemblance to the Levite of Judges 17-18, who also seems to have difficulty finding a place to serve; contra James D. Martin, *The Book of Judges* in the *Cambridge Commentary Series* (Cambridge: Cambridge University Press, 1975), p. 199, who believes that the fact of the Levite's owning a concubine indicates wealth. Perhaps there was originally more than one telling of the story.

to pay the normal bride-price.²⁸ Thus his real status is ignored if not undermined and he may feel abandoned by the community that should support him.²⁹

When his concubine returns to her father, the Levite takes action. With a servant and a couple of asses,³⁰ he goes “after her to speak kindly to her and bring her back.”³¹ Whether he actually does speak kindly to her or not is not conveyed in the story.

When he arrives, the father’s joy seems to eclipse the Levite’s relationship to his daughter. She remains in the background and has—by returning to her father’s house—lost her title as “his [the Levite’s] concubine.” Throughout this segment of the narrative, she is referred to as “the girl” in the often-repeated phrase “the girl’s father.”³² Conversations and deliberations take place solely between the Levite and the father, not between her and the Levite.

Despite the Levite’s intentions to “speak kindly” to her, he says nothing to her throughout the rest of the story—until the sad morning, when he opens the door to resume his journey, finds her ravished body, hands stretched out imploringly on the threshold, and says two short, chilling words: “Get up! Let’s go!”. *These are the only two words the Levite speaks to her in the entire narrative.*³³

Turning to the terrible event itself, one finds further clues regarding the woman’s status and the Levite’s character.

The Night of Horror—the Nature of the Case

²⁷Judges 19:1; cf. 17:7.

²⁸ This assumes that the bride-price would be more than the price of a slave. Normally such women were sold because of poverty on the part of the father who needed to pay his debts; in this case, the inference is that the Levite is too poor since he never seems to have acquired a “regular” wife by bridal price payment. The fact that this is an argument of silence does not negate the real possibility.

²⁹ From a Deuteronomic perspective this seems likely, considering the injunction of Deut. 12:19 (NRSV): “Take care that you do not neglect the Levite as long as you live in your land.”

³⁰ So that she could ride?

³¹ Judges 19:3, RSV.

³² This sheds doubt on J. A. Soggin’s interpretation of the phrase “spent the night” as inferring resumption of conjugal relations between the Levite and the concubine and thus reconciliation in *Judges; a Commentary*, Old Testament Library, John Bowden, trans., Peter Ackroyd, et al, eds (Philadelphia: Westminster Press, 1981), p. 285. The “cordial and hospitable attitude of the father-in-law” is not necessarily the indication of complete reconciliation he supposes, as shown above.

³³ Noted also by Susan Niditch, p. 370. In her view, the concubine is already dead and thus his words are all the more “crass.” Cf. Boling, p. 274.

Bypassing Jebus, then a non-Israelite town, over the suggestions of his servant, the Levite continues to Gibeah. The sun has set before they arrive and they sit in the open square of the city, planning to spend the night there unless someone takes them in. The one who offers them lodging has performed the usual duties of a host when the men of Gibeah, characterized as “sons of Belial,”³⁴ surround the house and keep pounding on the door. This is the first indication of violence and force in the story. The second lies in their base order: “Bring out the man who came into your house so we may know him.”³⁵ The implications of sexual violence do not escape the host, who pleads, “Do not do so wickedly, my brothers”—words which recall Lot’s plea to the men of Sodom.³⁶ His continued pleadings—similar to those of Lot’s—fall on deaf ears. Like Lot, he offers his daughter and the Levite’s concubine as substitute victims, but unlike Lot’s brief, “do to them as you want,”³⁷ the host of Gibeah bargains, “*Ravish them*³⁸ and do to them what you want.”³⁹

Like the men of Sodom, the men of Gibeah refuse to bargain. The Levite then seizes his concubine and makes her go forth to them. Both verbs are significant. The first is used vis-à-vis the weaker and here denotes the negative prevailing over the weaker by the stronger. The second verb is used to describe divorce.⁴⁰ Thus it may be said that the Levite overpowers his concubine and “divorces”⁴¹ her to the mob which, in turn, rapes and brutalizes her all night.

³⁴ This much debated term has yet to be adequately defined. The most widely accepted view—that it denotes Sheol in early usage—has merit, despite J. A. Emerton’s attempt to show otherwise in “Sheol and the Sons of Belial” *Vetus Testamentum* 37 (April, 1987):214-217. If its origin is considered in light of ancient Near Eastern mythologies, Emerton’s objections are unnecessary.

³⁵ See Niditch, p. 367. Boling (p. 276) claims that the use of the word “to know” is here ambiguous but that “ambiguity disappears” “with the offer of the young woman.” But the same language is used in the story of Sodom (cf. discussion below).

³⁶ Gen. 19:7: the words are identical, though their syntactical positioning varies.

³⁷ Gen. 19:8: ועשו להן כטוב בעיניכם

³⁸ A verb which can technically refer to the taking of a woman without the correct formalities or which, more broadly, means “to afflict” or “treat badly,” as used in the Exodus narrative. David Daube, *The Exodus Pattern in the Bible* (London: Faber and Faber, 1963), pp. 65-66.

³⁹ Judges 19:24: ועשו להם הטוב בעיניכם וענו אותם (a number of Hebrew mss. contain כטוב instead of הטוב). See Lasine, who points to this and the offer of the concubine’s daughter as the narrator’s device to show how inhospitable the Gibeon host was compared to Lot (pp. 38-39).

⁴⁰ Especially here when combined with “outside” (החוץ). Cf. Falk, pp. 154-155.

⁴¹ Anthony Phillips notes that, in Israel, divorce originally involved no more than perhaps a ceremony at home and was accomplished without a written document. “Some Aspects of Family Law in Ancient Israel” *Vetus*

The verb used by the host when he gave permission to the rabble means “to humble, afflict”.⁴² Later the Levite describes the actions of the men on his concubine with the same verb. But the narrator, in the telling of the actual event, describes it thus: “And they knew her and abused her;”⁴³ the verb goes beyond rape; its basic meaning is “to act arbitrarily” always to the disadvantage of another; hence its most usual meaning, “to treat ruthlessly, severely.” Tribble’s rendering—“they tortured her”⁴⁴—may therefore not be unwarranted.

The next section of the story is perhaps the most pivotal of the entire episode. The description of the gang rape and torture takes but a brief sentence, albeit it lasted all night. Its brevity can be interpreted as crafted to dull the pain and horror of the abuse, but more likely, it was intended to emphasize the intensity of the tragedy. At this point the narrator relies on a typical Hebrew literary strategy of redundant and overdrawn detail to put the story in slow motion and thus heighten its poignancy.

They knew her and abused her all night long
until morning.
And they let her go as dawn broke.
Then the woman came before⁴⁵ the morning
And she fell at the entrance of the man’s house where her master was
until the light.

The focus on dawn, morning, light is the device used to emphasize the tragedy of a long night, filled with rejection, torture, agony, brutality, hopelessness and despair. First, she has been the pawn used by the man who came to speak tenderly to her; he throws her to the beasts to satisfy their lust for power and save himself. He “divorces” her and after the night ends, he is no longer her husband but her slave master.

Testamentum 23:352 (cf. p. 354). But see also his later article, “Another Example of Family Law” *VT* 30:24-243, where he seems to have changed his view based on comparisons with ancient Near Eastern laws.

⁴² Used also in the story of Amnon’s rape of Tamar in 2 Sam. 13:14.

⁴³ The verb ענה is used to describe Amnon’s rape of Tamar. It is rendered inaccurately, perhaps, in the RSV as “he forced her.”

⁴⁴ Tribble, p. 76.

⁴⁵ In the Hebrew the term “before” here represents position, not sequence of timing. Literally, “in the face of the morning.”

Secondly, she is the Raggedy Ann in the power of dogs who do to her whatever their lascivious hearts desire. Finally, at daybreak they let her go.⁴⁶

The redundancy captures the first fingers of light, the defusing of the darkness that has hid the slinking away of her brutalizers. Slowly, objects take shape and form until a bent figure can be seen, shuffling painfully toward the house. The morning's shadows lift as she falls before the entrance. Inside is the man who should have been her caretaker but who thrust her out—outside—into the night and its power of Belial. When light fully comes, it focuses on the fallen ravished body, motionless and silent. The sun exposes what night conceals:⁴⁷ unspeakable torture by human beings without their humanity.

This is the only instance where the narrator's spotlight focuses on the woman herself. Though she is the centerpiece of the story (all events and issues affect her or are affected by her in some way) she herself does not speak, nor does she behave on her own, until that fateful hour when men have ravished her, forsaken her, and let her go. Then she acts out of the pain, despair and brutalization of a victim. She stumbles and falls. Her only words are those mimed by one desperate action as she reaches both of her hands until her fingertips touch the threshold.⁴⁸ The sun rises on her inert body, stretched out, hands pointed toward a closed door.

In early Israelite society, the entrance—including the threshold—was the nexus of acceptance or rejection, of protection or exposure to harm.⁴⁹ As the family's place of judgment, irrevocable, life-changing decisions were made there,⁵⁰ and a cultic rite memorializing freedom and deliverance was celebrated.⁵¹ It is no coincidence that the narrator sets the climax of the entire episode as the placement of

⁴⁶ Tribble (p. 77) treats this section in much the same way.

⁴⁷ The sun was viewed as the god of justice in the ancient Near East, in part, because of its exposure of evil deeds. Cf. Job 38:12-15 and Tribble (p. 77) who notes the same.

⁴⁸ With Danna Nolan Fewell, "Judges," in *The Women's Bible Commentary*, Carol A. Newsom and Sharon H. Ringe, eds. (London: SPCK; Louisville: Westminster/John Knox Press, 1992), p. 75.

⁴⁹ Carol Meyers, "Threshold," in *The Anchor Bible Dictionary*, vol. 6, David Noel Freedman, ed. (Garden City, NY: Doubleday, 1992), p. 545.

⁵⁰ See Exodus 21:6, where the perpetual slave was bonded to his master by having his ear pierced at the door of the master's house. See 1 Sam. 5:4-5; 1 Kings 14:17.

⁵¹ The Passover in Exodus 12.

the woman's hands upon the threshold. Hers is a reaching for judgment, for safety, for deliverance from oppression. And her plea goes unheeded.

Here the mood of the story abruptly changes. From slow motion, the narrator moves into the start of the day where everything is punctilious, determined by economic and familial needs. Here everything has its prescribed time and place in accordance with the rhythm of living things.⁵²

And her master got up in the morning
And he opened the door of the house
And he went out to go on his way.

The rhythm of the three lines is almost uniform;⁵³ they achieve the cadence of an ass plodding steadily down the road. The Levite is about to resume his journey with no thought about the night before.⁵⁴ An intrusive set of lines, interrupting the beat, form the peak of the story:

“And behold, the woman, the concubine, was fallen in the entrance of the house
and her hands were upon the threshold.”⁵⁵

These words are meant to change the current of the story. They depict a scene which should have moved the hardest heart to pity. The sight of that once living human being, now brutalized, with hands stretched imploringly in the doorway should have evoked a change in the Levite's rhythm.

The rhythm changes, but not with sorrowful overtones. Instead it quickens, with terse brevity:

And the Levite said, “Get up! Let's go!”

The explosive words jar the reader with their utter heartlessness; they also emphasize the tragedy, which to the Levite is but an intrusion on his plans. She has interrupted his rhythm, given him pause, rekindled his dormant conscience. Unappreciative of her forced sacrifice for him, he only wants her to fall into line behind him as he distances himself from the previous evening's horror. He uses command and expects action.

⁵² Webb (190) notes: “The expression [i.e., the Levite “got up”] is chilling in what it implies by its sheer ordinariness.”

⁵³ In Hebrew, the rhythm is only a little less unvarying than it is in this English rendering.

⁵⁴ With Webb, *ibid.*

⁵⁵ Even if one leaves out “the concubine” as a later addition, the rhythm is still broken.

“But there was no answer.”

The LXX adds the words “for she was dead”. It will be shown that the MT is more consistent with the rest of the narrative despite claims to the contrary.⁵⁶ Tribble makes the most of the MT’s reading to suggest that the concubine may not have been dead when the Levite found her.⁵⁷ Indeed, the question may be intentionally inferred by the narrator, for he speaks of the husband of the woman “who was murdered” (passive without an agent) and further, when the Levite recounts the story, his explanation leaves the question open-ended: “And they ravished my concubine and she died.”⁵⁸ Thus the narrator leaves open the possibility that she died after the Levite found her.

The author’s emphasis on dawn and daylight seem intended to convey the impression that the concubine possibly died needlessly. The story is clear that the Levite did not get up till morning and that the concubine had to lie with her hands on the threshold until it was light. If this were the point at which she died, the narrator would likely have placed the words at this juncture rather than later where the LXX does.⁵⁹ This casts suspicion on the Levite’s role in her death. When she actually died is left unknown.

The words—“there was no answer”—also complicate the picture. One would expect instead, “she did not answer,” especially if the LXX reading is to be taken as correct. The former is a masculine participle: either “there was no answer” or “no one answered.” Even more peculiar is the fact that “an answer” was not invoked but rather an action.

Though a play on words may be intended here,⁶⁰ it is more likely that the author chose this line to convey one of his main points: All of the victims in the tragedy (including those in the subsequent horrors) are silent. They serve no other purpose than that of voiceless pawns who have no will of their

⁵⁶ Boling suggests the error of a haplography (as in a homoioteleuton) in the MT, but I fail to find this.

⁵⁷ Phyllis Tribble, p. 80.

⁵⁸ Judges 20:5; but note the NRSV rendering: “until she died.” This fits the Levite’s deliberate coloring of the event (see below).

⁵⁹ Normally, in Hebrew narrative, the reader would be informed that the woman had died. That the LXX does this suggests either a haplography or that there was more than one version of the story—one in which the concubine dies as she reaches the entrance, the other in which the event of her death is uncertain and more likely after the Levite found her.

⁶⁰ The word used by the Levite and the host for the ravishment of the concubine and the verb “to answer” are identical in root though not in etymology.

own. No less is true of this main character over whose life thousands of others will lose theirs. She has no voice. And there is no one to answer her mute call from the threshold where her hands rest.

The subsequent actions of the Levite raise further questions about his role in the murder of his concubine. When there is no answer, he puts her on his ass⁶¹ and resumes his journey home. Entering his house, he picks up *the* knife⁶² and then proceeds to seize or prevail over his concubine,⁶³ divides her into twelve pieces (by her limbs) and sends *her*⁶⁴ throughout all of the territories of Israel. If one takes Tribble's view as correct, this would be the moment of her death.⁶⁵

The Levite's dismembering of his concubine is puzzling. Only three other instances can give us clues as to its intention.⁶⁶ First, the wording describing the action is highly suggestive of the story of Abraham and the binding of Isaac.⁶⁷ The inference, then, would be that of a sacrificial victim. Secondly, when Saul refused to kill the Amalekite king devoted to total destruction (*cherem*),⁶⁸ Samuel "hewed Agag in pieces before the Lord."⁶⁹ The suggestion would be that the concubine was treated as *cherem* by the Levite. Thirdly, when Jabesh-Gilead was besieged by the Ammonites, King Saul took the oxen with which he was plowing his field and demonstrated his leaving farming to take up his new role as king by cutting up his oxen into pieces and sending them "throughout all the territory of Israel"⁷⁰ as part of a call to arms against the Ammonites. This would imply a call to war on the part of the Levite.

⁶¹ Though the narrator goes out of his way to point out that the Levite has two asses, this is the only time she is mentioned as having "ridden" on one of them.

⁶² Not just any knife. This is terminology reminiscent of Abraham's actions in the binding of the Isaac. Tribble notes the same (p. 80). The wording here is identical to that of Gen. 22:10.

⁶³ Using the same verb and action employed for describing his seizure of her when he threw her out of the house to the rabble.

⁶⁴ As one unit?

⁶⁵ So also Webb, p. 91.

⁶⁶ By-passing the Abrahamic covenant ceremony of Gen. 5:7-11 because it lacks vital parallel points and because the dismembering of the concubine does not seem to contain covenantal features. However, the actual action of animal cutting had to do with a threat of punishment of a breach occurred (Falk, p. 39). See also Phillips, *Ancient Israel's Criminal Law*, p. 11, where he takes this stance regarding the concubine, though his argument is unconvincing.

⁶⁷ See note 49.

⁶⁸ Further treatment of this term appears below.

⁶⁹ 1 Sam. 15:33

⁷⁰ 1 Sam. 11:7, NRSV; note the similar wording to Judges 19:29.

A case could be made for all three interpretations,⁷¹ but the third is likeliest, combined possibly with the second. The concubine, then, has become the equivalent of a starkly slaughtered beast whose service and usefulness has ended, just as Saul's oxen were no longer needed by him now that he was Israel's king.⁷² It's last use was to call Israel to arms; likewise the concubine's decimated body ultimately served to bring Israel to war.⁷³

Perhaps, the Levite had an objective beyond all of these. He had bypassed a non-Israelite town for the sake of being with his own people. He was a Levite, his concubine of the tribe of Judah, his host an Ephraimite, and all were staying in a Benjaminite town. What could have been a harmonious inter-tribal social event was shattered by a dreadful night in which brutality, sexual torture, and death were enacted, not by the reprobate heathen, but by some of Israel's own.

Though not herself responsible,⁷⁴ the concubine was now a "whore" and thus a fitting symbol for what Israel had become to the Levite. Like Israel, her cohesiveness and unity were fiction, and thus, like Israel, she was to be hewn into twelve non-cohesive parts. She was sent to all the tribes as a sign of warning of impending disaster to inter-tribal unity if action were not taken.⁷⁵

Part II: The War

Judgment and Guilt

⁷¹ That the Levite treated the concubine as זונה is inferred by 1) the MT reading of זונה, a prostitute and 2) his forcing her out of the house and thus making her a complete whore—albeit involuntarily by the use of force. His cutting her into twelve pieces is thus an act of abhorrence of her body, committed to whoredom, following the ancient rule of the husband who could shame his adulterous wife by striping her naked and sending her out of the house (Anthony Phillips, "Some Aspects of Family Law," pp. 252-253). By sending her throughout all the territory of Israel, the Levite exposes her whoredom. She would not have a proper burial; thus she is shown utter rejection and abhorrence. Nevertheless, this is not the intent the Levite himself expresses to the assembly, and so the third option is most plausible (cf. Niditch, p. 367).

⁷² Admittedly, the opposite is the Levite's situation; he is not elevated to higher levels of authority but has lost his possession, the sole right to his concubine's body.

⁷³ Cf. Lasine, pp. 41-43. Objectively the woman was a sacrifice to the Levite's selfishness, to save him and his host, as well as a sacrifice to the wanton power-hungry human beasts who ranged outside a Gibeon home. Unlike Isaac, her sacrifice was not divinely commanded.

⁷⁴ Taking the MT reading of זונה, Webb suggests a "grim irony" revealing "an element of justice in the concubine's fate." This may well have been represented by one of the interpretations of the story as it was retold.

⁷⁵ See Niditch, p. 371.

The twelve body parts of the concubine have the effect desired by the Levite. “All the people of Israel” come out and present themselves “in the assembly of the people of God.”⁷⁶ The mention of warriors in the assembly (v. 2) suggests that they understood the message of the twelve pieces to be a call to arms.

When the assembly demands an explanation from the Levite, his testimony does not follow events exactly as narrated.⁷⁷ Instead he neatly crops the terrible tragedy with a few devices intended to explain the gravity of the incident. First, he embellishes the crime. The guilty are not evil scoundrels, “sons of Belial” but rather the town fathers, entrusted with its protection and just judgment. The crime committed is not one of sexual abuse and brutality⁷⁸ but an intent to murder a Levite who was innocently traveling through and had found lodging there for the night. They have risen up in attack against a man of sacred office, an act which necessitates response from all Israel.⁷⁹

Secondly, his statement—“they intended to kill me”—shifts the focus away from the lesser victim (she was only his slave girl) to himself, a member of the Levites. His goal seems intentional: to avoid any personal implication in the woman’s murder as well as to justify his extreme actions⁸⁰ in cutting up his concubine like a mere beast and sending her around the territory of Israel. Thus he softens the narrative’s description of his own treatment of his concubine with a different word.⁸¹

The Crime

⁷⁶ Judges 20:1, RSV. The effect on the story is that the Levite gets a greater response than any of the previous judges; a response closer to that of a king (cf. 1 Samuel 11). Webb, p. 190.

⁷⁷ 1) Instead of “the men of Gibeah, base fellows,” he refers to them as “the lords of Gibeah”; 2) in the narrative, the men of Gibeah surround the house and demand to “know” the Levite whereas according to the Levite, they rise up “against” him (signifying a premeditated attack) with intention to kill him; without telling how he escaped or how the concubine ended up in their hands, he states the barest of facts: “They ravished my concubine and she died.” 4) He states that he then took (אחא not קח as in the narrative) his (dead) concubine and divided her into twelve pieces, thus revealing an attempt to soften his actions.

⁷⁸ The issue here is not in the degree of the evil committed but rather just what it is and therefore what punishment it deserved.

⁷⁹ Not just a lawsuit against the attackers. Cf. Niditch, p. 371; a discomfort in mentioning the homosexual aspect of the attack may indeed figure in the Levite’s witness; nevertheless, this does not answer the other problems in his biased retelling.

⁸⁰ See Webb, p. 191.

⁸¹ אחא not קח as in the narrative.

It is this testimony of the Levite—that the Gibeon town fathers plotted to kill a man of sacred office—that determines the rest of the narrative. To him, the crime was murder, yet his conclusion—“They have committed a wanton outrage”⁸²—recalls the inhospitable actions of Nabal.⁸³ Consequently a number of scholars suggest this as the crime.⁸⁴ Yet it must be asked if this crime would evoke such retaliation as depicted in ch. 20. Though David planned revenge against Nabal for his lack of hospitality, he was grateful to Abigail for sparing him from “bloodguilt.”

Whether the crime was the intended murder of one in sacred office, attempted sodomy (which the Levite does not mention) or the torturous death of the concubine (which would be of little consequence in ancient eyes),⁸⁵ there is still a question regarding the necessity of such complete retaliation. In the end, perhaps the twelve body parts themselves, circulating throughout the land, mobilizes the forces that bring about the tragedies that follow. Perhaps it is this, the final ravishment of the concubine, that leads to war against Benjamin.

Whatever the cause, and whatever the crime, the question of culpability is the beginning of a frightful descent downward to further acts of ravishment and violence.

The War: Inter-tribal Power-Struggle, Revenge, or *Cherem*?

In order to understand the extreme lengths to which Israelite warriors go, the intent of the war must be addressed. If it was intended to force the Benjaminites to hand over the scoundrels of Gibeah, it must have raged with a will of its own. If it took place to wreak vengeance or vicarious talionic compensation or

⁸² cf. Boling, p. 284; Burney, p. 469.

⁸³ The word נבלה used in the Levite’s conclusion is difficult to convey adequately into English. Burney proposes “impious” person or “villain” as appropriate here (p. 469).

⁸⁴ For example, see Niditch, pp. 367 and 371: “The man’s insensitivity towards his concubine, his non-communication with her, his selfishness are, in fact, a microcosm of larger community-relationships in Israel. He does not take care of her, the townspeople of Gibeah do not take care of him, men of the town are openly hostile in an exemplary anti-social, uncivilized way.” See also Anthony Phillips, *Ancient Israel’s Criminal Law*, p. 122.

⁸⁵ Though Abraham did not wish to send Hagar away, it was for the sake of her son Ishmael, his first-born, rather than for the sake of the slave herself (Gen. 21); Laban’s daughters complain that they have been sold like slaves rather than betrothed like daughters (Gen. 31:15). It is unlikely that the Israelite fervor would be raised to war-pitch over the torture and demise of an unknown slave girl/concubine.

or punishment⁸⁶ on the tribe, this is not supported by the MT.⁸⁷ In neither case is the ravishment of Benjaminite towns—including non-combatant men, women, and children—justified.

A third proposal, that of devotion to total destruction (*cherem*), deserves thorough scrutiny.⁸⁸ It is applied to Achan and his family who, because he clung to what was *cherem*, was placed under *cherem* himself.⁸⁹ Though not used explicitly to denote the wholesale destruction of Benjaminite towns, the phrases employed to depict the war seem to be deliberately chosen from the laws of *cherem* in Deuteronomy 13. In both cases, the crime deserving *cherem* is committed by “certain base fellows”⁹⁰ in an Israelite city.⁹¹ In accordance with *cherem* law, those devoted to destruction are put to death “by the edge of the sword”—including the cattle⁹²—and the cities burnt, though the gathering of the spoil into the open plaza is not mentioned in the Judges account.⁹³ As in the law of *cherem* against the Canaanites in Deuteronomy 7:1-5, the Benjaminites were banned from marrying Israelite women.

Such a proposal provides an explanation for the extreme lengths to which the destruction of Benjaminite cities was carried. If the war was intended to purge Gibeah from evil by devoting the evildoers to destruction, Benjamin’s refusal and advancement in defense would be indication that the tribe was clinging to *cherem* and thus were to be destroyed also.

Nevertheless, some mitigating factors must be considered. *cherem* was only to be carried out in cases of idolatry, against the Canaanites, or against an Israelite town which was led into idolatry. There is no hint of any idolatrous practices involved in the story of the Levite’s concubine. Perhaps a solution may

⁸⁶ Punishment is the view of Soggin, p. 280.

⁸⁷ The MT is corrupt here.

⁸⁸ Or, “holy war.” The term has provided some difficulties since it has several meanings in different settings in the Hebrew Bible. For a discussion of this term see N. Lohfink, *Theological Dictionary of the Old Testament*, G. Johannes Botterweck and Helmer Ringgren, eds., David E. Green, trans. (Grand Rapids: William B. Eerdmans Publishing Company, 1968), pp. 180-199.

⁸⁹ Joshua 7:1ff.

⁹⁰ RSV wording for אנשים בניבליעל

⁹¹ Deut 13:14(13); Judges 19:22.

⁹² An action considered to be taken in Gibeah (Judges 20:48); cf. Martin, p. 219.

⁹³ Deut. 13:16(15)-17(16); Jdgs 20:48; cf. Niditch who, in priority, concurs with my thesis, though I carry it further.

be found in the narrative's conformity in certain instances to the account of Sodom. As shown in the analysis of the night of horror, the two stories contain many similar elements.⁹⁴ Perhaps these links in the two stories were understood as reason enough for Israel to have carried out *cherem* on Gibeah⁹⁵—and ultimately on Benjamin—since God utterly destroyed Sodom with fire, a divine act of *cherem*. The justification for his action was the disgraceful, bestial attempt of the men of Sodom to do to the messengers what the men of Gibeah did to the Levite's concubine. Thus utter destruction of every Benjaminite city, along with the refusal to let the remaining 600 men marry Israelite women, is defended as in accordance with the Deuteronomic laws of *cherem* via the story of Sodom.⁹⁶

It is, however, with some tentativeness that the narrator attempts to align the story in defense of *cherem*. In the first place, the term for abomination⁹⁷—used in the law of *cherem*—is not applied to the narrative and has been replaced by two terms: “evil” and “senselessness”.

A second problem concerns the use of the Sodom story for the defense of complete destruction. Unlike Lot's confrontation by “all the townspeople, from the old to the very young” the Levite was

⁹⁴ Additional elements include: 1) In both cases “certain men of the city” are mentioned. 2) Both hosts are sojourners. 3) In both cases, the guests come from afar. 4) Both hosts find their guests planning to spend the night in the city's open place and urge them to stay with them. 5) Just as Lot offers his two daughters, so the Gibeon host offers two women—including his virgin daughter (who appears conveniently here and nowhere else in the story!)—to the men. Further impressive parallels are shown by Burney, p. 444.

⁹⁵ Apart from an internal appeal to חרם by Israel, one cannot account for the חרם story in ch. 21.

⁹⁶ Contra Niditch, who concludes that the Judges 19 account is prior the Gen 19 Sodom story, op cit., pp. 375-378, arguing that the unity of Judges 19-20 makes it primary to Gen 18 and 19 which do not need the “homosexual” account. Her argument contains several problems: 1) It does not explain the contrast of the story: “the whole town” of Sodom versus the “worthless men” of Gibeah; 2) it ignores the unifying factors in Gen. 18—God's going down “to see” whether the outcry over Sodom is valid; Abraham's plea for a sparing of the 10 vis-a-vis the “whole town” turning to violence as well as the eventual escape of just three persons—are ignored; 3) a careful probe of Deut. 13 חרם law sheds a different light. While the application of the Sodom account by the Judges 19-21 narrator may not have been a literary one, its intent is not to subsume the account or to re-enact it, but to use it for justification of חרם since the case here was not idolatry. The sudden appearance of the host's daughter—in alignment with Lot's two daughters—would seem to suggest a use of Gen. 19 by the narrator of Judges 19. 4) The same unifying theme she notes in Judges 19-21 exists in Gen. 18-19: hospitality vs. lack of hospitality (cf. Abraham's entertainment of the messengers). As shown in this paper—in terms of the story's theology—it is not the case that the “sin is clear and the punishment immediate.” In short, her view does not provide an adequate solution to the tensions in the Judges 19-21 episodes. Cf. J. A. Soggin (p. 288), who finds the contrast of divine intervention in Gen. 19 whereas the men are content with a concubine as evidence of reliance by the narrator of Judges 19.

⁹⁷ This term is specifically applied to homosexual activity in Lev. 18:22.

threatened by the ruthless men of Gibeah, not the whole town. Thus *cherem* does not seem as defensible as it did in the case of Sodom.⁹⁸

A third mitigating factor is the fact that the term *cherem* is not used in connection with the war against Benjamin at all, while it *is* applied, in verbal form, to the destruction of every male of Jabesh-Gilead, in Israel's attempt to recover virgin women to replenish the loss to the 600 survivors of Benjamin.⁹⁹ Yet this usage assumes the earlier application of *cherem*: only virgin women from an Israelite city also under *cherem* could be given to the Benjaminites who were now banned from marrying members of the Israelite community.

A fourth, rather poignant bit of evidence, is the increasing intensification of Israel's anguish in the threefold sequences of battles, the losses of the first two battles, and the other three-step progression of Israel's retirement to Bethel to pray.¹⁰⁰ Were *cherem* fully understood to be the intent of the war, such losses and questioning would be unnecessary.¹⁰¹ This story seems to be the reverse of the Achan and Ai episodes, since loss of battle in the latter is due to the holding on to a item devoted to destruction, whereas in the former the losses follow an attempt to purge out those apparently holding on to those under *cherem*. Israel's guilt stems from the fact that they have gone to war against fellow Israelites and have virtually devoted the entire tribe to destruction;¹⁰² the comparison to Ai¹⁰³ suggests that *cherem* could not be legitimately applied to this case.

All of these difficulties contribute to a very important point: *the alignment to the laws of cherem was not the original reason for war against Benjamin but was appealed to later in order to justify the means used to replenish the tribe as well as the destruction of Benjaminite towns.*

⁹⁸ Arthur Ernest Cundall agrees with my thesis here in *Judges, The Tyndale Old Testament Commentary; an Introduction*, D. J. Wiseman, ed. (London: The Tyndale Press, 1968), p. 208.

⁹⁹ Judges 21:11

¹⁰⁰ Satterthwaite, "No King in Israel," p. 78; with Satterthwaite and E. J. Revell, holding to an inner coherence of this section of the narrative. "The Battle with Benjamin (Judges XX 29-48) and Hebrew Narrative Techniques," *Vetus Testamentum* 35.4 (1985):417-433.

¹⁰¹ P. E. Satterthwaite claims that this portrayal of Israel's grief suggests "a battle which should never have taken place." "Narrative Artistry in the Composition of Judges XX 29ff" *Vetus Testamentum* 42.1 (1992):82.

¹⁰² This is signified by the stress on "our brothers, the Benjaminites" in Judges 20:23, 28; cf. 21:3.

¹⁰³ Burney, p. 455.

This is most significantly supported by a very glaring omission of the story's application of the Deuteronomic laws of *cherem*. Before destroying the cities, Israel was to “inquire and make search and ask diligently” to determine whether the report of idolatry was true.¹⁰⁴ Even in the case of Sodom, God tells Abraham that he will go down himself and check out the reports to see “whether they have done *altogether* according to the outcry that has come up to me.”¹⁰⁵

Further evidence is supplied by Niditch¹⁰⁶ who notes that in the case of the Joshua 22:10-34 story—potential for the carrying out of *cherem*—the law is followed exactly: 1) idolatry is the issue here; 2) inquiry is diligently made; and 3) a disastrous war is averted in consequence.¹⁰⁷

In the narrative of Judges 20, no such inquiry is made. Israel's armies advance with force of arms against Gibeah and demand that they hand over the men who committed the crime for punishment.¹⁰⁸ The Levite's testimony—colored as it is and hiding his own culpability in the case—is accepted without question. *Indeed the testimony of a single witness¹⁰⁹ is used to determine the fate of an entire city and ultimately of nearly an entire tribe.* No one raises a question regarding who the villains actually are. No one inquires into the role the Levite played in the rape and murder of his concubine. No one asks whether his later ravishment of her body was appropriate.

This failure of the story to align fully to the laws of *cherem* is pivotal to an understanding of the response of Benjamin. Both the use of force and implication of war override the suggestion that justice was about to take place. Without investigation into the truth of the Levite's claims, it can be assumed that the tribe of Benjamin considered the actions of Israel's armies as extreme and even unjustified.

¹⁰⁴ Deut. 13:15(14).

¹⁰⁵ Gen. 18:21, RSV.

¹⁰⁶ Niditch, pp. 374-375.

¹⁰⁷ Niditch finds no need for inquiry in the Judges 19-20 instance, since the situation is clear cut: “Holy war is not to be undertaken lightly in the hysteria of the moment or due to an unconfirmed rumor, but once the cause is validated as just, holy war must take place for the good of the whole. Righteous holy war will have God's sanction. Judges 19-21 portrays the acting out of this sort of justified holy war situation in a symbolically charged, rich narrative medium.” p. 375. However, her appeal to divine sanction may be questioned, as shown below.

¹⁰⁸ Though their words convey the truth according to the narrative—not the coloring given by the Levite—this wording is necessary to align the episodes of war with the law of חָרָם in Deut. 13.

¹⁰⁹ Cf. the law of witness for capital crimes in Deut. 17:6; the words in Judges 20:13, “and put away evil from Israel” recalls the law of the witness in Deut. 17:16. Cf. Cundall, p. 201.

The question might be raised, however, regarding the positive divine endorsement of the three battles. Did not Israel rightly perceive the divine response as divine sanction? Several factors challenge this: 1) Israel did not counsel with God as to whether war was necessary *before* going up against Benjamin, but only when loss was incurred;¹¹⁰ 2) unlike Joshua 1:2, the oracle is brief and does not promise success for Israel.¹¹¹ 3) the questions raised imply the use of lots or the urim and thumim; no one inquired what went wrong nor why losses occurred and the assumption remains that the issue of the defeats was merely that of brotherhood; 4) in the end, ambush—not divine intervention—enabled Israel to win.¹¹² Given other instances in which Biblical characters attribute to God that which they bring on themselves,¹¹³ an interpretation of the divine response as equal to divine sanction may be questioned. At least, it may be said that divine permission was a reluctant assent to a choice already made.¹¹⁴

One could, of course, hold the tribe of Benjamin fully responsible for the devastation that follows.¹¹⁵ Had the tribe handed over the men, surely the cities would have been spared. Yet the case may not be that open-and-shut. There is a problem regarding the identification of the guilty—were they town fathers or villains? The incident took place at night when visibility was poor and the brief encounter would not necessarily produce reasonable evidence for determining the criminals.¹¹⁶ Thus, though one

¹¹⁰ Webb (p. 193) notes: “Their first inquiry reflects their confidence regarding the rightness and eventual outcome of their cause. They are already committed to war and Yahweh’s approval is assumed.” Cf. Nolan, p. 75. Though the NRSV reordering of the verses eliminates Israel’s obvious failure to consult Yahweh, there seems to be no justification for it apart from a desire by the translators to interpret the story in Israel’s favor.

¹¹¹ Martin, p. 212.

¹¹² This is in contradiction to a number of scholars who assume that divine intervention is the correct interpretation here. While no doubt Israel wanted to see the event as divinely intended, there is no direct assertion of this in the story such as one finds in the war stories of Joshua, Gideon, and others. One of the repeated themes in Biblical war stories is that of warriors weak in faith using deceptive measures in order to win a war after being promised victory by Yahweh (Gideon’s torches and jars; Joshua’s ambush against Ai, etc.); yet no victory was ever assured Israel in the Judges 20 story. It is deceptiveness that may well be emphasized by the expression of the Benjaminites’ thoughts in Judges 20:39 rather than the “retributive aspect of the slaughter about to take place.” (Contra P. E. Satterthwaite, “Narrative Artistry,” p. 86).

¹¹³ Note Jonah “blaming” of God for his ‘forced’ but actually self-imposed entry into the sea (Jonah 2:3); God’s hardening of Pharaoh’s heart (Ex. 7:3, 9:12); the Chronicler’s re-interpretation of David’s numbering of Israel 2 Sam. 24:1; 1 Chron. 21:1), etc.; divorce is divinely “sanctioned” by law (Deut. 24:1-4), yet one prophet avers that God hates it (Mal. 2:16). See also the principle noted in Ezek. 20:25-26.

¹¹⁴ Jesus’ comments on adultery in Matt. 19:8 point to such a hermeneutical principle.

¹¹⁵ As does Niditch, pp. 371-372.

¹¹⁶ The narrator makes it clear that the ravishers had departed before the sun rose the next morning.

cannot assume innocence on the part of the Benjaminites, the weight of evidence points to greater culpability of the Levite and the woman's ravishers.

In the end, the attempts to align the story with the laws of *cherem*—though aiming to soften the horrors Israel inflicted on the tribe—leave the reader feeling somewhat deceived. And self-justifying deception is indeed one of the key implications of the story. The Levite colors his testimony in order to defend his actions toward his concubine. The tribe of Benjamin appears to rationalize that, since war seems imminent, they must fight rather than seek out the guilty for punishment. The horrors of extensive destruction seem exonerated by association with Deuteronomic injunctions of a holy purging. And finally, after the war, the people tearfully blame God for nearly extinguishing one of the twelve tribes,¹¹⁷ even though they did not originally seek his counsel as to whether a holy war was justified.

The Redemption of Benjamin: The Institutionalization of Evil

The account of the war, with city after city burnt and its inhabitants put to the sword, is tragic enough to leave the reader stunned, especially when it is learned that all females, male children, and elderly men have been killed.¹¹⁸ While such destruction to Canaanite cities is not considered so terrible to Israel, the devastation to one of their own tribes is viewed with a dismay that, again, points to an original motive other than that of *cherem*.

Apart from all the attempts at rationalization and self-justification, it is possible to view the story as a like reaction to the original crime. Parallel with the ravishment of the Levite's concubine and the subsequent dismemberment of her body, is the war which, like a fire out of control, has a way of its own and eventually ravishes town after town, dismembering the community of an entire tribe.¹¹⁹ The reluctance of God to grant Israel victory over Benjamin recalls the father's reluctance to let his daughter go with the Levite.

¹¹⁷ Judges 21:3, 15; Nolan, p. 76

¹¹⁸ This is implied rather than stated in the narrative (Judges 21:7,17-18).

¹¹⁹ Cf. Cundall, p. 208.

And the assault and abuse continue. Horrified at what “God” has done to the tribe of Benjamin, Israel sets out to create redemption. But due to the overriding desire to justify her previous actions and to act in harmony with them, the people redeem Benjamin by ravishing one more town—Jabesh-Gilead, which is placed under *cherem* due to a suddenly remembered oath¹²⁰—and preserving alive the 400 virgins found there to be handed over to the survivors of the mutilated tribe. Still, the reparation is incomplete. So Israel orders the remaining wifeless Benjaminite survivors to “lie-in-wait” and kidnap¹²¹ the virgin women of Shiloh.¹²² The Israelite justification for this last command is the abusive tactic of turning the protest back on the protester’s head.¹²³

The redemption of Benjamin is created out of a form of the same crime as originally started the war. Thus the narrative ends where it begins.¹²⁴ In the attempt to “put away evil from Israel”¹²⁵ by means of destruction and force, though justified as a *cherem* judgment, the tribes merely accomplish the perpetration and institutionalization of the original corruption they have tried to expunge.¹²⁶

The Moral

Though attempting to justify the rapacious actions of the eleven tribes against Benjamin, the moralizer ends with an emphatic head-shaking conclusion. How could such inhospitable depravity occur in an Israelite town? And why didn’t the Levite admit to the whole story? Why didn’t the Benjaminites attempt to find the villains? And why did Israel react so violently—without questioning the Levite or making further inquiry—despite a reluctant assent from God? Why the ruthlessness, the total destruction? And

¹²⁰ The oath referred to is stated as an afterthought. Most scholars would, on this and other details, assign the Jabesh-Gilead incident to a later account (cf. Burney, pp. 449-452); but in keeping with an ideological development, I interpret this as an attempt to justify the incident.

¹²¹ An action considered a capital crime in Ex. 21:16; cf. vv. 12-14; Soggin (p. 298) and others view it as rape. This action was forbidden by Deut. 24:7 against an Israelite (cf. the immediate note below).

¹²² It is not clear whether Shiloh is to be understood as a Canaanite or Israelite town and thus not tied to חורם. Cf. Martin, p. 222.

¹²³ Cf. Boling’s translation (p. 290). The Hebrew wording is difficult and has net varied results.

¹²⁴ Noted previously by Tribble, p. 83.

¹²⁵ Judges 20:13, RSV.

¹²⁶ Webb (p. 196) highlights this: “The rape of the daughters of Shiloh is an ironic counterpoint to the rape of the concubine, as the campaign against Jabesh-Gilead is an ironic counterpoint to the war against Benjamin.”

destruction? And finally, could anything really justify the destruction of Jabesh-Gilead and the kidnapping and rape of Shilohite women?

Did they not all—except the voiceless concubine—manifest the symptoms of brutality, ruthless unconcern, and violence?

But if one cannot justify such atrocities, perhaps one can explain them. And so the moralizer—as if picking up the earlier words of the Gibeon host, “Do what you want”¹²⁷—concludes, “In those days there was no king, and everyone did what was right in their own eyes.”¹²⁸ Does this imply a plea for control and an overthrow of pluralism and ethical subjectivism? Perhaps. Yet the tensions in the narrative point to a more specific interpretation. Doing what is right in one’s own eyes is not interpreting Torah’s meaning for oneself, but rather, ignoring it to go one’s own way or misinterpreting it to justify abuse of another.

And a king would not necessarily have prevented what happened. One of the main functions of ancient kings was to lead out in war.¹²⁹ In the case of Judges 19-21, eleven tribes of Israel went to war without a king (unless the Levite plays this role). Inspired to unite by a violent message of tragedy and stark horror, Israel responded as one person. Here was not individual subjectivism or even cultural relativism, but collective wantonness excused as holy war against those judged to be immoral.¹³⁰

Ultimately *all* the freely acting players in the story were guilty. *All* were wrong, though right in their own eyes. And in the end, those most culpable may have been those who considered themselves most capable of purging evil from Israel.

¹²⁷ Also the words of Deut. 12:8-9; see Moshe Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon Press, 1972), pp. 169-170 and Tribble, p. 84.

¹²⁸ Soggin would place the original position of these words at the end of ch. 19, as a verbal conclusion to the horrors of the story. But they seem equally justified at the end of the entire sequence—unless one accepts Soggin’s belief—that a later redactionist, disgusted at the monarchy, added the stories of the assemblies and subsequent war to show that the tribal confederacy worked well enough to bring justice and order after such an atrocity (pp. 300-303). As has been shown in this study, the punishment is not only extravagant, but a perpetration of the deed itself.

¹²⁹ For example, note the Samuel-Saul stories of 1 Samuel.

Part III: The Adventist Story

From a canonical perspective, it might well be asked, “Should this dreadful narrative be a part of Scripture?” By itself, apart from a larger context, it has no redemptive value. Yet this study contends that its presence in the canon is not only justified but necessary. In order to appreciate redemption, *all* must be capable of facing the evil in their own story.¹³¹

Prerequisite to Redemption

Reading the bad in our salvation history is but the prerequisite to redemption, not redemption itself. And so the canon continues: *our story reads on and redemption comes at the end of the reading.* Were the moralizer’s closing words the end of the Biblical story, we would have to suppose that tamed violence and dictatorship are indeed the last word and thus that the institutionalization of the violent behaviors in the narrative is the cure. But the Scriptures do not end with Judges 21 or 1 Samuel 8. Beyond the monarchy, with its domesticated tyranny and its slaying of prophets who speak the truth; beyond the abuses of kingly power that led to further ravishment of women, and child sacrifices;¹³² beyond the snuffing out of prophetic insight and the reigning of priests, we come at last to the King of kings who wins the war with beasts *as a Lamb*.

He is the real threat to purgings of Israel, with his tolerance for the intolerant and the non-tolerated, with his preference for love and truth over against force and control, with his fearless insistence on new perceptions of Scripture and on behaviors that shake traditional foundations.

Eventually those who would purge evil from Israel gang up on him after dark and ravish his body all night long. No inquiry is raised as to whether the accusations against him are so. And he, like so many of the victims before him, is voiceless before their abuse. As morning begins to break (and the Levites can

¹³⁰ Contra Soggin who, though admitting “the utter disproportion between the crime and the punishment” finds a pre-monarchical redactionist view that the assembly of Israel functioned quite well without a moral problem (pp. 280-281).

¹³¹ I owe much of my inspiration for the general direction of this study, particularly as it relates to the telling of the story, to Richard Rice’s paper, “The Priority of the Particular: Adventist Theology Faces the Twenty-First Century,” presented at the 1996 Adventist Society for Religious Studies convention in New Orleans.

¹³² Trible (p. 84) notes also the notorious stories of female abuse during the Davidic monarchy.

Levites can go to bed), the rabble (or city fathers?) order him to carry his cross, and he moves across the threshold of the city gate toward a bleak Golgotha. His hands slip from the crossbeams and he falls to the ground.

In the wee small hours of dawn, in that wretched town of Gibeah, part of his story was once paralleled, along with so many others. It is reminiscent of Abraham and Isaac, but no voice from heaven stays the hands of the ravishers or the Levite, or the hands of the mob and Roman soldiers. It recalls Lot in Sodom, but no angels intervene to smite the men of Gibeah or the men of Jerusalem with blindness. It favors the laws of *cherem*, except that no one consults God about the morality of their actions nor do they inquire as to whether the Levite's indictment is completely true. And likewise no one raises the question as to whether they might be crucifying their innocent Creator atop Golgotha.

The Levite comes out in those early judgment hours to find the concubine sprawled on the ground, her body resculptured by the horrors of bestiality and torture into cold cruciform. The soldiers grasp Jesus' arms to find them relaxed and nearly in place. He has already been crucified thousands of years ago from Abel on. Her hands, imploringly touching the threshold, cry out a question that goes unheeded. His hands, nailed to a rough wooden cross-beam, embrace that eternal theodicy. The Levite's brusque command, "Get up! Let's go!" is met with silence. The mob's malevolent command, "If you are the Son of God, get off the cross!" is also met with silence.

No one answers. There is no answer.

How can there be an answer when no one makes honest inquiry and investigation, nor scrutinizes their own hearts but only judges the hearts of others?

Redemption

The longer story doesn't end until the silent Lamb hanging from the cross speaks. Unlike the completely voiceless victims in the narrative—the concubine, women, children and elderly men—the One in whom our redemption is found does speak, "Forgive them, for they do not know what they are doing." Not a

charge that everyone is doing what is right in their own eyes, but a compassionate plea that they are ignorant.

It is here that our Adventist story and our individual stories can begin anew. At the cross we meet the bad in our story—our ravishments of others' reputations, our judging and condemning, our rationalizations and croppings of our stories to justify unchristlike behavior, our curt orders and dismembering of reasonable ideas, our refusals to pursue and tell the truth and to make honest inquiry into the rightness of our prejudices, our unwarranted acts of *cherem* and attempts at eliminating those who do not submit to our perception of righteousness—that have recrucified the real King once again.

When at last we discover redemption, we find that he offers us forgiveness and a true sense of sin and righteousness, a true view of himself and his kingdom. Only those who recognize the bad in their story can welcome the graciousness in his voice, obtain a new understanding heart, and perceive truth in new dimensions from the foot of the cross.

There a new story can begin for those who want it. Beyond race, tribalism, and purgings of evil, the nature of the Lamb can be ours and with that nature in our hearts, the tribes can become one. For in Christ there is no north or south, no Ephraim or Benjamin, no NAD or SAD. In Christ there is no east or west, no Jabesh-Gilead or Mizpah, no Centrist or West Coast theology. In Christ, there is no Jew or Greek, no Bethel or Shiloh, no Hutu or Tutsi. In Christ there is no bond or free, no master-Levite or slave-concubine, no ecclesiastical kings or oppressed members in Ethiopia. In Christ there is no male or female, despite the lot-casting of the tribes in the assembly to the Lord at Utrecht.

May Galatians 3:28—and not Judges 19-21—soon become the concluding chapter of the Adventist story.